

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

YUBA LOPEZ by his Executor, TAMIKA REID Plaintiff, v. SELECTIVE INS. CO. OF SOUTH CAROLINA Defendant.	: : : : : : : :	CIVIL ACTION No. 20-1260
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ORDER

AND NOW this 17th day of **June 2020**, upon consideration of Defendant's Motion to Dismiss Count II of Plaintiff's Complaint, Plaintiff's response, Defendant's reply, and for the reasons set forth in the Court's Memorandum dated June 17, 2020, it is **ORDERED** that:

1. Defendant's motion (Document No. 5) is **GRANTED**.
2. Count II of Plaintiff's Complaint is **DISMISSED without prejudice**.
3. Plaintiff may file an Amended Complaint on or before Wednesday, July 1, 2020.

BY THE COURT:

/s/ Berle M. Schiller

Berle M. Schiller, J.